

**REMARKS/ARGUMENTS**

Applicants respectfully acknowledge receipt of the Office Action mailed April 4, 2006.

In the Office Action, the Examiner: (1) rejected claims 74-77 under 35 U.S.C. § 112, ¶ 2; (2) rejected claims 67, 71-73, and 81 under 35 U.S.C. § 102(b) as being anticipated by *Shiao et al.* (U.S. Patent No. 5,415,817); (3) rejected claims 69, 70, 74-76, and 80 under 35 U.S.C. § 103(a) as being unpatentable over *Shiao*; and (4) rejected claims 68, 78, and 79 under 35 U.S.C. § 103(a) as being unpatentable over *Shiao* in view of *Fukuda et al.* (U.S. Patent No. 6,078,430).

By this Amendment, Applicants amend the specification and claims 67-71 and 74-81. Upon entry of this Amendment, claims 67-81 will remain pending. Of these claims, claim 67 is independent. Claims 1-66 and 83-90 were previously canceled, without prejudice or disclaimer, in the "Preliminary Amendment" filed October 14, 2003, and claim 82 was withdrawn from consideration in response to a telephonic Election/Restriction requirement on February 28, 2006.

The originally-filed specification, claims, abstract, and drawings fully support the amendments to the specification and claims 67-71 and 74-81. No new matter has been introduced.

Applicants traverse the rejections above and respectfully request reconsideration for at least the reasons that follow.

**I. 35 U.S.C. § 112, ¶ 2 REJECTION**

The Examiner's rejection of claims 74-77 under 35 U.S.C. § 112, second paragraph, has been rendered moot by the amendments to claims 74-77. Applicants

therefore request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

## II. 35 U.S.C. § 102(b) REJECTION

Claims 67, 71-73, and 81 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Shiao*. Applicants respectfully disagree with the Examiner's arguments and conclusions and submit that independent claim 67 is patentably distinguishable over *Shiao* at least for the reasons set forth below.

In order to properly establish that *Shiao* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be disclosed, either expressly or under principles of inherency, in that single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

*Shiao* discloses an injection/compression molding process for manufacturing concave optical lenses of thin thickness. The process includes a mold 2 with a mold die 4, a concave surface 6 having a compensated form of a convex surface of a lens to be manufactured, a sprue 8 formed through the mold die 4, and a mold insert 38 with a convex tip 40, which assumes the compensated form of a concave surface of the lens to be manufactured. (*Shiao*, col. 5, ll. 28-38 and col. 6, ll. 22-24).

*Shiao*, however, fails to teach or suggest wherein a cross sectional area of the concave surface 6 is smaller than a cross sectional area of the mold die 4 in a resin flow direction (emphasis added).

Accordingly, with respect to independent claim 67, *Shiao* fails to teach or

suggest the claimed combination, including, *inter alia*:

“an optical functional section forming section having a third cross sectional area smaller than the first cross sectional area in the resin flow direction...[and] wherein the third cross sectional area corresponds to a largest diameter of the optical functional section” (emphasis added).

The Examiner, therefore, has not met the essential criteria for showing anticipation, wherein “each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in...a...single reference.” See M.P.E.P. § 2131. Accordingly, independent claim 67 is patentable over *Shiao*. Applicants therefore request that the rejection of claim 67 under 35 U.S.C. § 102(b) be withdrawn and claim 67 be allowed.

Moreover, claims 71-73, and 81 are allowable at least due to their dependence from independent claim 67. In addition, at least some of the dependent claims may recite unique combinations that are neither disclosed nor suggested by the cited art, and therefore some also are separately patentable.

### **III. 35 U.S.C. § 103(a) REJECTIONS**

Claims 69, 70, 74-76, and 80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shiao*, and claims 68, 78, and 79 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shiao* in view of *Fukuda*.

As noted above, *Shiao* fails to disclose a mold for producing a molded optical component, wherein a cross sectional area of the concave surface 6 is smaller than a cross sectional area of the mold die 4 in a resin flow direction (emphasis added).

Similarly, *Fukuda* also fails to overcome this deficiency. The Examiner alleges that *Fukuda* teaches “[a] first resin flow path having a portion which forms a distinguishing

mark on [a] supporting shaft section...in a molding of a lens..." (*Office Action*, p. 5, ¶5).

Such teachings, even if present in *Fukuda*, fail to teach or suggest the claimed "optical functional section forming section having a third cross sectional area smaller than the first cross sectional area in the resin flow direction...[and] wherein the third cross sectional area corresponds to a largest diameter of the optical functional section" (emphases added). Accordingly, claims 68-70, 74-76, and 78-80 are allowable at least due to their dependence from independent claim 67.

#### **IV. CONCLUSION**

Applicants respectfully submit that independent claim 67 is in condition for allowance. In addition, claims 68-81 are in condition for allowance at least due to their dependence from independent claim 67.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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